

December 2, 2004

Mr. Phil Isenberg, Chair
MLPA Blue Ribbon Task Force
1416 Ninth Street, Suite 1311
Sacramento, CA 95814
Attn: Melissa Miller-Henson

Subject: Draft Master Plan Framework

Dear Mr. Isenberg and Task Force Members:

Please find below comments from the California Association of Harbor Masters and Port Captains, regarding an issue we feel should be addressed within the Master Plan framework.

1. Other fishing restrictions – Master Plan should take into account the variety of fishing restrictions that currently exist, such as seasonal closures, short-term but multi-year closures, species size and bag limits, and gear restrictions. Specifically, the Master Plan should address how each of these types of restrictions contribute to the goals of the MLPA.
2. Other MPAs – There are numerous MPAs or de-facto MPAs in California waters and neighboring federal waters. For example, some de-facto MPAs, like those found around the Diablo Canyon nuclear plant, may not have fishery or biodiversity goals, but nevertheless would advance those goals. The Blue Ribbon Task Force should be fully aware that the Monterey Bay National Marine Sanctuary is an MPA, by its own statements. There are a number of restrictions on human activities designed to help achieve the conservation, biodiversity, and habitat protection goals of the Sanctuary Program. These goals are to be accomplished through Sanctuary Programs for scientific research, water quality protection, a ban on off-shore oil and gas development, a ban on new structures within the Sanctuary, and importantly, public education -- not through fishing restrictions. It will therefore be important that the Blue Ribbon Task Force fully understand the Sanctuary as an MPA, which by itself may meet most of the goals of the MLPA.

Other closures, such as the Rockfish Conservation Zone, and in Southern California, the cowcod closure, are closures that are likely to exist far into the future. Fishery management goals, and other benefits can surely be realized

by these closures. The Task Force, we believe, should fully understand and weigh these benefits while developing the Master Plan framework.

The Master Plan framework should specifically address and try to avoid, through policy development, the “favorite son” syndrome. By this I mean that just like in a family, if one child should be favored with extra resources and attention, it will likely lead to the detriment of the family and the other children. This analogy fits the MLPA process. If the resources and attention provided for a network of MPAs and marine reserves are such that, compared to the total resources of the State for management of its ocean resources, it takes a disproportionate amount of resources, it will be to the detriment of the states’ overall coastal waters. This could be a real problem and will take a broad-view policy statement to ensure it will not occur.

3. Biodiversity. It will be important to realize that the scientific community has an understanding that there is no such thing as a natural biodiversity, because with changing conditions, (like regime shifts), plus a variety of non-fishing human impacts, it is impossible to know, for example, 200 years ago, what assemblage of species were present in a given area. The Master Plan framework should be careful not to fall in a trap of trying to make recovering natural biodiversity a goal; because recovering a moving target is impossible and does not serve the goals of the MLPA.
4. The concept of “ecosystem management” is evolving and there is not agreement within the science community about what this means. This fact should also be reflected in the Master Plan framework.
5. Dialogue – It is vital for the success of this process that the Master Plan framework include at its very heart continuing dialogue between all interested parties, whether they be scientists, fishermen, conservation interests and policy-makers. This will be particularly true of the Science Panel, which should be constructed within the framework so as to guarantee that a variety of opinions, including opposing views, will be well represented. The State will benefit from the synthesis of this discussion.
6. Scientists as stakeholders – It will be important (as a lesson to be learned from the Channel Islands MPA process) that many in the science community have a direct economic stake in the results of this initiative process. Outcomes and policy decisions can advantage them directly, or their institutions, in the form of extra grants. In short, they are stakeholders, just like fishermen.
7. Master Plan framework should ensure that measurable goals be set for each MPA site, with adequate means of monitoring and enforcement in place. That means funding must also be identified.

8. Consequences of a shift in fishing effort from the MPA area to adjoining areas must be fully addressed in the Master Plan framework. This phenomenon (congestion externalities) that led some to question the overall net benefit of MPAs to the environment. It would be of some irony if the creation of a network of MPAs led to the overfishing of adjoining areas to this network.
9. Master Plan framework should fully address and embrace the concept of adaptive management. In this regard, the goals of existing fishing restrictions should be matched with the goals of MPAs in the spirit of adaptive management. A concern shared by many regarding static MPAs is that they do not fully address ever-changing conditions – biological, regulatory and otherwise.
10. MPAs as wilderness - It should be clearly noted in the Master Plan that the MLPA does not provide that MPAs be established purely on their intrinsic value to certain elements of society. In other words, MPAs must have defined, achievable scientific goals. That people want MPAs “just because” is not a sufficient reason to establish a network of MPAs and the Master Plan should clearly acknowledge this.
11. Peer review is absolutely necessary at every stage of this process. This is not just true of work coming out of the science committee, but should also be true of Task Force staff work products. Peer review may cost money, and it will certainly take time, but it should be required to be a part of the Master Plan framework.
12. In developing guidelines for siting MPAs and marine reserves, please consider these components:
 - Socioeconomic. Are sites being selected that create the least social and economic impacts?
 - Phasing. The MLPA allows for phasing. This should be emphasized in the Master Plan framework because MPAs on the West Coast are an experiment.
 - Thorough site assessment. Goals cannot be assessed unless you know what you are starting with. Likewise, if MPA sites have a goal of measurable changes, then you will need to identify areas that are impacted, either from a biodiversity standpoint or from a habitat standpoint, and place MPAs in those areas. It may be hard to find heavily impacted areas in Central California that do not already have management measures in place.
 - Safety. MPAs should not be placed close to harbors or launching areas, so as to drive small boat usage even farther away from those launch sites.
 - MPAs and marine reserves especially need to take into account a full range of human impacts, such as pollution, impacts from divers (even if they are non-extractive) etc.

- Non-human impacts, such as sea lion and sea otter predation must also be fully taken to account in the Master Plan framework. For example, if a goal of an MPA was to enhance the population of red abalone, this goal must take into account the presence of sea otters, which eat red abalone.
- Under Section II.A. Goals of the Marine Life Protection Program, Goal 2 should be stated as it originally appeared in the MLPA: “To help sustain, conserve, and protect marine life populations, INCLUDING THOSE OF ECONOMIC VALUE...”
- Clearly identify the species that can benefit from an MPA/MR, and those which will receive little or no benefit.

Thank you for considering these comments regarding the development of the Master Plan framework. The CAHMPC continues to look forward to working with the Task Force, and the Department on this issue.

Steve Scheiblauber
Chair, MLPA Committee

C: Mick Kronman, President, CAHMPC
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